

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Buechler et al.  
Title: MARKERS FOR  
DIFFERENTIAL DIAGNOSIS  
AND METHODS OF USE  
THEREOF  
Appl. No.: 10/603,891  
Filing Date: 6/24/2003  
Examiner: Jung, Unsu  
Art Unit: 1641  
Confirmation  
Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment-IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of the documents cited by the examiner in parent application Serial No. 10/410,572 filed April 8, 2003 and related application 10/728,067 filed December 3, 2003.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

### **FEE**

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit

card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 01/11/2007

By Barry S. Wilson

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Attorney for Applicant

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Substitute for form 1449/PTO  
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete If Known**

Application Number	10/603,891
Filing Date	6/24/2003
First Named Inventor	Kenneth F. Buechler
Art Unit	1641
Examiner Name	Jung, Unsu
Attorney Docket Number	071949-6804

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document Number Number-Kind Code <sup>1</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	2002/0052000	05-02-2002	Parthasarathy et al.	
	A2	5,482,935	01-09-1996	Adelman et al.	
	A3	5,604,105	02-18-1997	Jackowski	
	A4	6,040,147	03-21-2000	Ridker et al.	

**UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Application Document Serial Number-Kind Code <sup>2</sup> (if known)	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	A5	CA 2,323,685	04/18/2001	Massengill et al.		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A6	Fassbender et al., "Changes in coagulation and fibrinolysis markers in acute ischemic stroke treated with recombinant tissue plasminogen activator." <i>Stroke</i> 30:2101-4, 1999.	
	A7	Folker et al., "Natriuretic peptides in the diagnosis and management of heart failure." <i>CMAJ</i> 175:611-617, 2006.	
	A8	Freitag et al., "Plasma brain natriuretic peptide levels and blood pressure tracking in the Framingham heart study." <i>Hypertension</i> 41:978-83, 2003.	
	A9	Kemp et al., "Biochemical markers of myocardial injury." <i>Br. J. Anaesthesia</i> 93(1):63-73, 2004.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP B01.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST-18 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.57 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>	
Sheet	2	of	2	Application Number 10/603,891 Filing Date 6/24/2003 First Named Inventor Kenneth F. Buechler Art Unit 1641 Examiner Name Jung, Unsu Attorney Docket Number 071949-6804

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>	
	A10	LeCapra et al., "The use of thrombus precursor protein, D-dimer, prothrombin fragment 1,2, and thrombin antithrombin in the exclusion of proximal deep vein thrombosis and pulmonary embolism." Blood Coagulation Fibrinolysis 11:371-7, 2000.		
	A11	Singh et al., "Optimization technique in human gall bladder health care system." The 1996 IEEE International Conference on Systems, Man and Cybernetics, Part 4 (of 4), Volume 4, p. 2855-2857.		
	A12	Takebayashi et al., "Association between circulating monocyte chemoattractant protein-1 and urinary albumin excretion in nonobese Type 2 diabetic patients." J. Diabetes and its Implications, 20:98-104, 2006.		
	A13	Watanabe et al., "Plasma levels of activated protein C-protein C inhibitor complex in patients with hypercoagulable states." Am.J.Hematol. 65:35-40, 2000.		

Examiner Signature	Date Considered
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